

REMARKS

In an Office Action mailed on August 23, 2006, claims 1, 2, 4-8, 10-15, 17-21, 23-26 and 28-30 were rejected under 35 U.S.C. § 102(b) as being anticipated by Chow; and claims 1, 3, 8, 9, 15, 16, 20, 22, 25 and 27 were rejected under 35 U.S.C. § 102(e) as being anticipated by Mukojima. The § 102 rejections are addressed below.

§ 102 Rejections of Claims 1-7:

As amended, the method of independent claim 1 recites selectively introducing at least three wavelengths to a signal that is provided to a communication link to communicate a data value. The three wavelengths identify the data value.

Contrary to the limitations of amended independent claim 1, Chow discloses red and green wavelengths for purposes of indicating the logical bit states (high and low) of a signal. However, Chow fails to teach or suggest selectively introducing at least three wavelengths to a signal, and for at least this reason, Chow fails to anticipate amended claim 1. It is noted that there is no suggestion or motivation to modify Chow's system so that at least three wavelengths are introduced to a signal to indicate a value, as Chow only contemplates two logical bit states.

Likewise, Mukojima fails to anticipate amended independent claim 1 for at least the reason that Mukojima explicitly discloses two wavelengths λ_1 and λ_2 . Mukojima, 14:8-12. For reasons similar to those set forth above for Chow, there is no suggestion or motivation to modify Mukojima's system to have more than two wavelengths.

Thus, Applicant submits that claim 1 is amended overcomes the § 102 rejections in view of Chow and Mukojima. Claims 2-7 are patentable for at least the reason that these claims depend from an allowable claim.

§ 102 Rejections of Claims 8-14:

As amended, the method of independent claim 8 recites detecting the presence of at least three wavelengths in a signal to identify a data value.

Chow fails to anticipate amended claim 8 for at least the reason that Chow is directed to red and green wavelengths to indicate two logical states. There is, however, no teaching or even a suggestion in Chow regarding detecting the presence of at least three wavelengths in a signal to identify a data value.

Similarly, Mukojima discloses two wavelengths to identify a data value and also fails to anticipate claim 8.

Claims 9-14 are patentable for at least the reason that these claims depend from an allowable claim.

§ 102 Rejections of Claims 15-19:

As amended, the receiver of independent claim 15 includes at least one detector to detect the presence of at least three wavelengths to identify data. For at least the same reasons as set forth above in the discussion of claim 1, neither Chow nor Mukojima fails to disclose detecting the presence of at least wavelengths in a signal to identify a data. Thus, neither of these references anticipates amended claim 15.

Claims 16-19 are patentable for at least the reason that these claims depend from an allowable claim.

§ 102 Rejections of Claims 20-24:

The transmitter of independent claim 20 includes at least one source to selectively introduce at least three wavelengths to identify a data value. For at least the same reasons set forth above for claim 1, neither Chow nor Mukojima teaches or suggests a source to introduce at least three wavelengths; and for at least this reason, neither of these references anticipates claim 20.

Claims 21-24 are patentable for at least the reason that these claims depend from an allowable claim.

§ 102 Rejections of Claims 25-30:

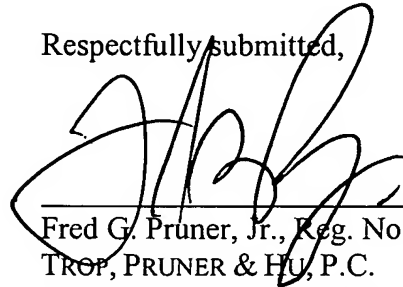
The system of independent claim 25 and the system of claim 30 each recite a transmitter that selectively introduces at least three wavelengths to a signal to identify a data value. For at least the same reasons as discussed in connection with claim 1, neither Chow nor Mukojima teaches or suggests these claim limitations.

Claims 26-29 are patentable for at least the reason that these claims depend from an allowable claim.

CONCLUSION

In view of the foregoing, withdrawal of the § 102 rejections and a favorable action in the form of a Notice of Allowance are requested. The Commissioner is authorized to charge any additional fees or credit any overpayment to Deposit Account No. 20-1504 (ITL.1002US).

Respectfully submitted,



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